

REMARKS

Applicant respectfully traverses the 35 U.S.C § 103(a) rejection of claims 1-3 over U.S. Published Application No. 2006/0073989 to Fujita et al. ("Fujita") in view of U.S. Patent 5,843,873 to Butke; and the § 103(a) rejection of claims 1-3 over Kinoshita (U.S. 6,432,889) in view of Iso (U.S. 2002/0076125) and Butke.

Claim 1 recites a grease composition for constant velocity joints. The grease composition includes a lubricating base oil, a thickener, carbon black with a mean particle size not greater than 500 nm, an organic molybdenum compound, and a complex of fatty acid salt and carbonate, with the fatty acid salt overbased by the carbonate.

The Examiner cites Kinoshita and Fujita as alleged disclosing a base oil, a thickener, and carbon black with a mean particle size of 20-300 nm (*i.e.*, this total range is less than 500 nm), and an organic molybdenum compound. The Examiner relies on Butke as allegedly disclosing a lubricant including calcium carbonate-overbased tall acid fatty acid carboxylate (P) and calcium carbonate-overbased fatty acid carboxylate (WW), used in the composition of Tables 3 and 4.

Examples 32 and 59, and the compositions listed in Tables 3 and 4 of Butke, however, are unsuitable grease compositions, because they lack a thickener. Moreover, neither of Examples 32 or 59 disclose a complex of a fatty acid salt and a carbonate, as claimed. Consequently, the elements disclosed in Butke are not one of a finite number of known solutions with a predictable result, or a mere substitution of one known component for another, and one of ordinary skill would have had no reason to

combine Butke with either Fujita or Kinoshita. Even if the references were combined, that still would not result in the composition recited in claims 1-3.

Iso was cited by the Examiner for its disclosure of carbon black particle size. Iso does not teach or suggest the claim elements absent from Kinoshita, Fujita, and Butke.

In addition, as disclosed, e.g., in paragraphs [0010]-[0011] of the application, the claimed fatty acid salt, without the use of lead compositions, combined with the other recited elements, provides a grease composition with an unexpectedly superior extended-term balance of anti-flaking, anti-seizure, and anti-wear properties, thereby having unexpectedly superior results over the compositions disclosed in Fujita, Kinoshita, and Butke.

Applicant has added new claim 4, to round out the protection to which it is entitled. Claim 4 is patentable over the cited references for all of the same reasons discussed above for claims 1-3, and further because none of the references, including Butke, disclose or suggest a complex of fatty acid salt and carbonate, wherein the mean particle size of the carbonate is at least 50 nm, as recited in claim 4.

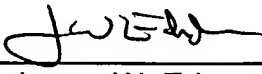
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application, and timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: January 20, 2010

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